



RECOVERY PERMITS

Chris Kofron

Senior Biologist and Recovery Permit Coordinator

U.S. Fish and Wildlife Service

Ventura, California





U.S. Fish & Wildlife Service

ENDANGERED SPECIES ACT OF 1973

As Amended through the
108th Congress



Department of the Interior
U.S. Fish and Wildlife Service
Washington, D.C. 20240

PURPOSE

**The conservation of endangered
and threatened species.**



and

**The conservation of the
ecosystems upon which
they depend.**



ENDANGERED – in danger of extinction throughout all or a significant portion of its range.



THREATENED -- likely to become endangered in the foreseeable future.



- . 1,897 species currently listed.**
- . 7 listed species now extinct.**
- . 308 listed species in California**
- . 32 listed species in San Luis Obispo County.**





PROHIBITED ACTS

Section 9 prohibits the take of endangered or threatened fish and wildlife.

Prohibitions do not apply equally to plants.

Listed plants on federal land are protected.

Listed plants on non-federal land are protected if a federal action is involved

Otherwise, prohibitions do not apply to listed plants on non-federal land unless there is violation of State law.





TAKE

...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any of these actions.





HARASS

Intentional or negligent actions that create the likelihood of injury...by annoying...to...significantly disrupt normal behavior patterns which include...breeding, feeding or sheltering.





HARM

Includes significant habitat modification or degradation that results in death or injury...by significantly impairing essential behavior patterns, including breeding, feeding and sheltering.





EXCEPTIONS

SEC. 10. (a) PERMITS.—(1) The Secretary may permit, under such terms and conditions as he shall prescribe—

(A) any act otherwise prohibited,...for scientific purposes or to enhance the propagation or survival...



Photo: Paul Johnson



Possession of a permit under the Endangered Species Act is a **privilege**.

USFWS must balance permit issuance with its duties to protect and recover listed species.





Department of the Interior
U.S. Fish and Wildlife Service
Federal Fish and Wildlife Permit Application Form

Expires Nov. 30, 2010
OMB No. 1018-0094

[Click here for address](#)

Return to: U.S. Fish and Wildlife Service (USFWS)

Type of Activity: Native Endangered and Threatened Species –

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Scientific Purposes, Enhancement of Propagation or Survival
Permits (i.e., Recovery Permits) &
Interstate Commerce Permits

Complete Sections A or B, and C, D, and E of this application. U.S. address may be required in Section C, see instructions for details.
See attached instruction pages for information on how to make your application complete and help avoid unnecessary delays.

A. Complete if applying as an individual				
1.a. Last name		1.b. First name		1.c. Middle name or initial
				1.d. Suffix
2. Date of birth (mm/dd/yyyy)		3. Social Security No.		4. Occupation
				5. Affiliation/Doing business as (see instructions)
6.a. Telephone number		6.b. Alternate telephone number		6.c. Fax number
				6.d. E-mail address
B. Complete if applying on behalf of a business, corporation, public agency or institution				
1.a. Name of business, agency, or institution		1.b. Doing business as (dba)		
2. Tax identification no.		3. Description of business, agency, or institution		
4.a. Principal officer Last name		4.b. Principal officer First name		4.c. Principal officer Middle name/initial
				4.d. Suffix
5. Principal officer title		6. Primary contact		
7.a. Business telephone number		7.b. Alternate telephone number		7.c. Business fax number
				7.d. Business e-mail address
C. All applicants complete address information				
1.a. Physical address (Street address; Apartment #, Suite #, or Room #; no P.O. Boxes)				
1.b. City		1.c. State	1.d. Zip code/Postal code	1.e. County/Province
				1.f. Country
2.a. Mailing Address (include if different than physical address; include name of contact person if applicable)				
2.b. City		2.c. State	2.d. Zip code/Postal code	2.e. County/Province
				2.f. Country
D. All applicants MUST complete				
1. Attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE in the amount indicated on page 2. Federal, tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – attach documentation of fee exempt status as outlined in instructions. (50 CFR 13.11(d))				
2. Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes <input type="checkbox"/> If yes, list the number of the most current permit you have held or that you are applying to renew/re-issue: _____ No <input type="checkbox"/>				
3. Certification: I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13 of the Code of Federal Regulations and the other applicable parts in subchapter B of Chapter I of Title 50, and I certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.				
Signature (in blue ink) of applicant/person responsible for permit (No photocopied or stamped signatures) _____ Date of signature (mm/dd/yyyy) _____				

Please continue to next page



APPLICATION

Scientific Purposes,
Enhancement of
Propagation
or Survival

-

14 pages

-

Available on line

-

[Click here for address](#)



California & Nevada Operations Office (CNO): CA and NV

U.S. Fish and Wildlife Service
Endangered Species Permit Office
2800 Cottage Way, Suite W-2606
Sacramento, California 95825

Web: <http://www.fws.gov/cno/es/recovery.html>

Phone: (916) 414-6464

email: permitsCNES@fws.gov

Fax: (916) 414-6486



Send to:

**Daniel J. Marquez
Regional Recovery Permit Coordinator
Pacific Southwest Region (Region 8)**

**Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, CA 92011**

Phone: (760) 431-9440 ext 225

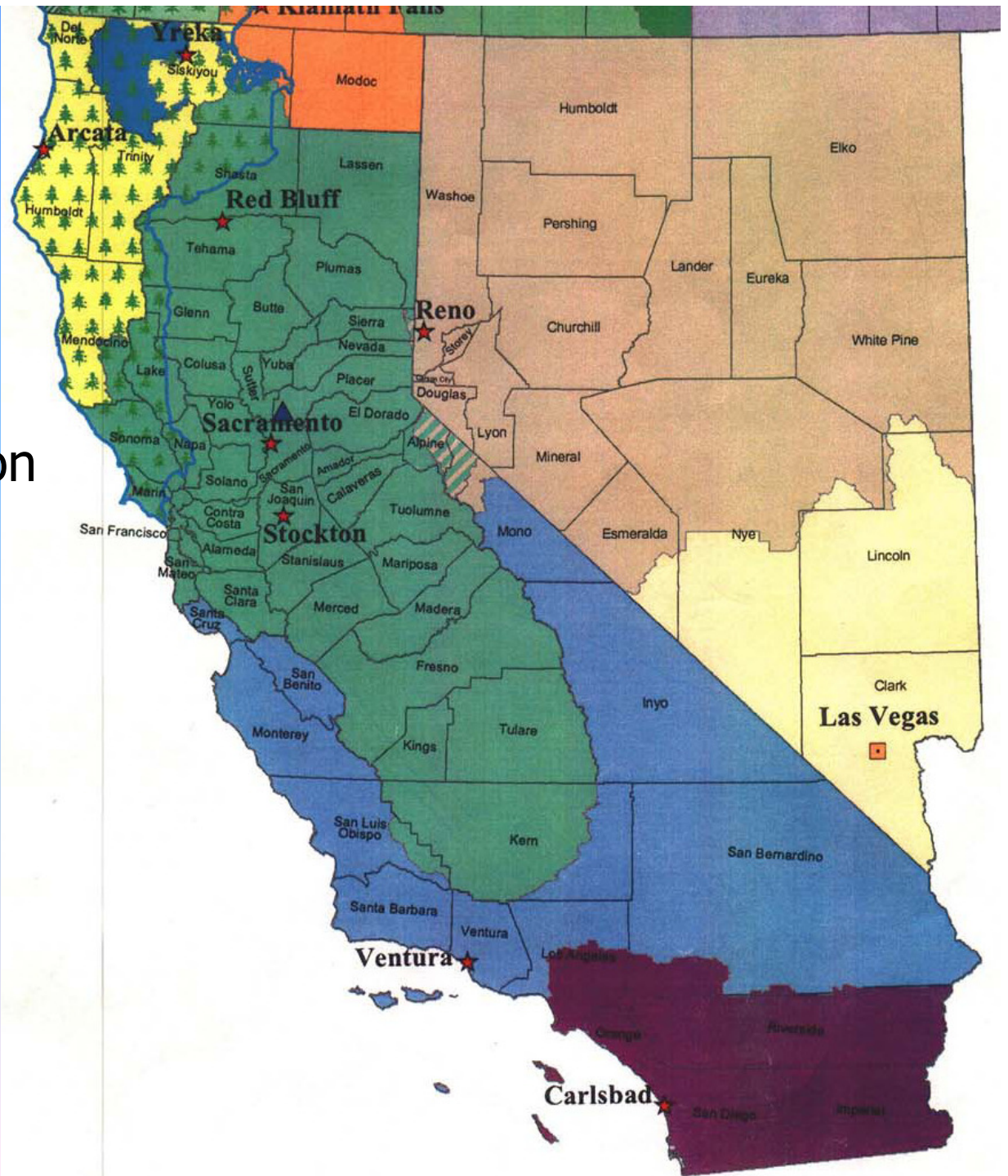
Fax: (760) 930-0846

email: daniel_marquez@fws.gov

Pacific Southwest Region

Regional Office
Sacramento

Field Offices
Ventura
Carlsbad
Sacramento
Arcata





Regional Recovery Permit Coordinator sends copies of application to relevant FWS offices.

FWS offices

- review the application.**
- seek two reference reports.**
- recommend issue/denial.**
- prepare the draft permit.**

Regional Office will issue recovery permit.



**Use same application form for a new permit,
and to renew or amend an existing permit.**

Application Processing Fee

<u>new</u> permit	\$100
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<u>renew</u> an existing permit	\$100
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<u>amend</u> an existing permit at a time other than renewal	\$50
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Federal, tribal, State, and local government agencies are exempt from fees.

This includes State universities.



Please plan ahead. Allow at least 60 days for your application to be processed. Some applications may take longer than 90 days to process. (50 CFR 13.11)

Applications are processed in the order they are received.

Application Processing Time

Coordinate with FWS as soon as possible for guidance.

Mail completed application at least 3 months prior to intended start date.

If renewing a valid permit, Regional Office must receive application at least 30 days prior to expiration.

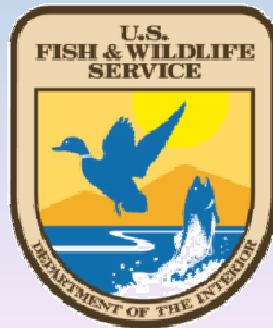
These time periods begin when RO receives a complete application --- does not include time required for requesting clarification or additional information.

Applications are processed in order received.



RENEWAL

If the Regional Office receives an application to renew at least 30 days before expiration, then the permittee can continue conducting permitted activities during processing even after permit has expired.



If application is for activity with an endangered species, notice must be published in the *Federal Register*.

Public then has 30 days to comment.

Permit cannot be issued until 30 days after publication of notice.





REPORTS

Permittee must be up-to-date with all reports (to all relevant FWS offices) before application is processed for renewal, amending or changing the List of Authorized Individuals.

45-day reports
90-day reports
annual report
statement of no activity

Each report should be one complete document --- not a series of documents/files for assembly by FWS.

Send reports by mail OR electronically, not both -- send only 1 copy.

FWS email cannot accept extraordinarily large files.



Send reports to Recovery Permit Coordinator in relevant FWS office.

OK to send second copy to your contact in FWS office.

Recovery Permit Coordinator logs reports into electronic database, and then circulates them to relevant FWS biologists.

If reports do not reach Recovery Permit Coordinator, they will not be logged into database -->inconvenience when applying to renew, amend or change the List of Authorized Individuals.

Application will not be processed until permittee is current in reporting obligations.





CHANGE TO LIST OF AUTHORIZED INDIVIDUALS

Send letter to FWS office indicated in
the recovery permit.

No cost.

Apply at least 30 days before needed.



Photo courtesy of Entomological
Consulting Services, Ltd.

Have you obtained all required State, Federal or foreign government approval to conduct the activity you propose? Please be aware that there may be other requirements necessary to conduct this activity such as an import permit, collection permit, permission to work on Federal lands, Federal bird banding permit, Corps of Engineers permits, Environmental Protection Agency NPDES permits, State, county or local permits, etc.

- ☐ Yes. Provide a copy of the approval(s). List the State, Federal or foreign countries involved and type of document required. Include a copy of these documents with the application.
- ☐ I have applied. List the State, Federal or foreign countries involved and type of documents required. Provide the reasons why the permits have not been issued. _____
- ☐ Not required. The proposed activity is not regulated.

Have you obtained all required State or Federal approvals to conduct your proposed activity?

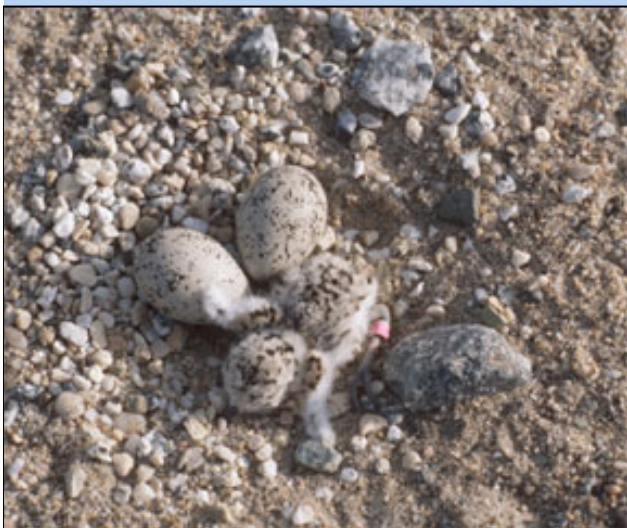
Be aware there may be other requirements:
State Permit
permit to work on Federal lands, etc.



Identify species and activity:

1. For a new Recovery permit:
 - a. Provide the common and scientific names of the species being requested for coverage in the permit and their status (endangered (E) or threatened (T)).
 - b. Provide the number, age, and sex of such species to the extent known.
 - c. Identify the activity sought to be authorized (i.e., presence/absence survey, nest monitoring, bird banding, etc.) for each species.

Identify the species and the proposed activity.



Identify location of the proposed activity:

1. Provide the name of the State, county, and specific location of the proposed activity site(s). Include a formal legal description, section/township/range information, county tax parcel number, local address, or any other identifying property designation that will precisely place the location of the proposed activity site(s).

State where you want to conduct the activity.





Describe the proposed activity:

1. Provide a statement justifying the permit request, including the following: *[A copy of a research or study proposal that provides this information can be attached in lieu of the information requested below.]* Use additional sheets as necessary.

Describe the proposed activity.



Identify the persons who will conduct the proposed activity:

1. Provide the full name of all individuals, *including first name, middle initial, and last name*, who you propose will work under this permit.
 - a. If more than one activity is included in the permit application, indicate which activity(ies) will be completed by each individual.
 - b. For each listed individual, please also provide a copy of each person's resume and/or curriculum vitae, plus specific information on previous professional experience working with the species affected by the permit request. Information should include: the approximate number of hours of focused activity with each species in occupied habitat; approximate number of each species the applicant has worked with at each site (e.g., how many pair of birds at a specific site); names, dates, and location of areas surveyed; and experience with similar species. Please provide the names and phone numbers of at least two references who can verify experience with the species (reference letters are always appreciated).

State the name of each person who will conduct each activity.

Provide each person's resume.

State how each person is qualified to conduct each activity.

Provide the names and contact details of two references – permitted persons.



Minimum qualifications for some species:

California red-legged frog
vernal pool branchiopods
other species

<http://www.fws.gov/cno/es/minqual.html>





Draft Minimum Requirements for California Red-legged Frog

Applicants will be considered qualified for a recovery permit or sub-permit if they meet the Service's most current qualification requirements. At a minimum, prospective applicants must:

- (1) Possess a Bachelor of Science degree in biology or a resource management-related field, or equivalent field/work experience;
- (2) Have completed course work in herpetology and study-design/survey-methodology, or equivalent field experience;
- (3) Have extensive, verifiable, experience in the design and implementation of amphibian research .

The permittee must verifiably demonstrate competence in the handling and identification of a minimum of 10 California red-legged frogs comprised of a minimum of 5 adults and a combination of larva and juveniles. Additionally, the permittee shall obtain a minimum of 40 hours of field experience through assisting in surveys for the California red-legged frog during which positive identification is made.

- (4) Have familiarity with suitable habitats for the species;
- (5) Have familiarity with amphibians, native and non-native, that may co-occur with the listed species; and
- (6) Be able to identify the major vegetative components of communities in which California red-legged frog surveys or research may be conducted.

Individuals not qualified to conduct scientific research or other activities covered under a recovery permit or sub-permit will be required to work under the supervision of a qualified, permitted individual until the minimum qualifications are met.

FOR SURVEYS ONLY (NO PERMIT REQUIRED)

All individuals conducting surveys need to demonstrate adequate experience locating and identifying California red-legged frogs by both sight and sound and submit their qualifications to the Service when submitting survey results. Surveyors should consult with and be familiar with



An exam for some species:

vernal pool branchiopods --- given in Sacramento
and Carlsbad



Copyright: Larry Serpa




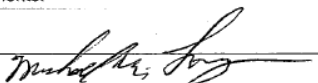
FWS has survey protocols for some listed species.

For some, a recovery permit is needed to conduct protocol surveys.

California red-legged frog (dipnetting for tadpoles)
vernal pool branchiopods
Morro shoulderband snail

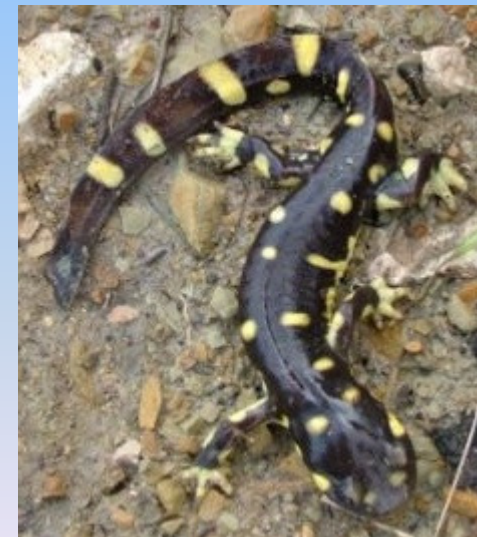


<http://www.fws.gov/cno/es/surveypro.html>

 <p>DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE</p> <p>FEDERAL FISH AND WILDLIFE PERMIT</p>		3-201 (1/97)
<p>1. PERMITTEE</p> <p>COUNTY OF SAN LUIS OBISPO, PUBLIC WORKS DEPT 1050 MONTEREY STREET SAN LUIS OBISPO, CA 93408 U.S.A.</p>		<p>2. AUTHORITY-STATUTES 16 USC 1539(a)</p> <p>REGULATIONS 50 CFR 17.22</p> <p>50 CFR 13</p>
		<p>3. NUMBER TE076257-1 AMENDMENT</p>
		<p>4. RENEWABLE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
		<p>5. MAY COPY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
		<p>6. EFFECTIVE 11/27/2009</p>
		<p>7. EXPIRES 11/26/2013</p>
<p>8. NAME AND TITLE OF PRINCIPAL OFFICER: (If #1 is a business) KATE E. BALLANTYNE ENVIRONMENTAL RESOURCE SPECIALIST</p>	<p>9. TYPE OF PERMIT ENDANGERED SPECIES</p>	
<p>10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED ON LANDS SPECIFIED WITHIN THE ATTACHED SPECIAL TERMS AND CONDITIONS</p>		
<p>11. CONDITIONS AND AUTHORIZATIONS:</p> <p>A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.</p> <p>B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.</p> <p>C. VALID FOR USE BY PERMITTEE NAMED ABOVE.</p> <p>D. Further conditions of authorization are contained in the attached Special Terms and Conditions.</p>		
<p style="text-align: center;">FISH AND WILDLIFE SERVICE</p> <p style="text-align: center;">DEC 14 2009</p> <p style="text-align: center;">RECEIVED VENTURA, CA</p>		
<p><input checked="" type="checkbox"/> ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY</p>		
<p>12. REPORTING REQUIREMENTS ANNUAL REPORTS DUE: 1/31 See permit conditions for further reporting requirements.</p>		
<p>ISSUED BY</p>	<p>TITLE  ENDANGERED SPECIES DIVISION CHIEF</p>	<p>DATE 11/27/2009</p>

Example of
recovery permit

cover sheet



SPECIAL TERMS AND CONDITIONS
County of San Luis Obispo, Public Works Department

1. This permit was previously issued on January 16, 2004. The terms and conditions set forth in that permit are hereby superseded by this amendment.
2. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by the "General Conditions for Native Endangered and Threatened Wildlife Species Permits, " 50 CFR Part 13, 50 CFR 17.22 (endangered wildlife), and/or 50 CFR 17.32 (threatened wildlife), as applicable (copies attached). In addition, the permittee must have all applicable State and Federal permits prior to the commencement of activities authorized by this permit.
3. The permittee is authorized to take (locate, handle, measure, and release) the Morro shoulderband snail (*Helminthoglypta walkeriana*) in conjunction with surveys for the purpose of enhancing its survival, as specified in the permittee's July 16, 2009, renewal request, in accordance with the conditions stated below.
4. Permitted activities are restricted to the following geographic area in California:

San Luis Obispo County.

The U.S. Fish and Wildlife Service's (Service) Ventura Fish and Wildlife Office (VFWO), 2493 Portola Road, Suite B, Ventura, California 93003 (telephone: 805-644-1766; fax: 805-644-3958) must be notified at least 1 day prior to conducting activities pursuant to this permit at specific locations within the above referenced area.

To request changes to the List, the permittee shall submit a written request to the VFWO. Two copies of the request shall be submitted at least 30 days prior to the requested effective date. The request shall be signed and dated by the permittee and include:

- a. The name of each individual to be appended to the List;
- b. The resume/qualifications statement of each person to be appended to the List, detailing their experience with each species and type of activity for which authorization is requested;
- c. The names and phone numbers of a minimum of three references; and
- d. The names of the individuals to be deleted from the List.



6. Taking of the Morro shoulderband snail (snail):

The permittee is authorized to locate, handle, measure, and release the snail within the geographic boundary specified above, and the time limitation specified in the permit, provided that:

- a. Surveys must be conducted in accordance with the most recent survey guidelines for the snail.
- b. No snail attractants shall be used.
- c. All snails shall be returned in good condition to their original location unless they are moved a minimal distance out of the path of foot traffic.



All reports or other documents that include information gathered under the authority of this permit (e.g., reports prepared by consulting firms for their clients) shall reference this permit. Copies of such documents shall be provided to the VFWO upon their completion. Draft documents and other information including raw field data resulting from work conducted under the authority of this permit shall be submitted to the Service upon request.



9. Annual reports:

Annual reports shall be submitted to the Recovery Permit Coordinator at the VFOW by January 31, following each year this permit is in effect. Specifically, part 9(a) below is required as applicable and part 9(b) below is required as specified:

- a. As applicable, for any survey activity authorized pursuant to this recovery permit authorized pursuant to this permit that does not have a previously required reporting obligation as stated in survey protocols, survey guidelines, or previously specified in this permit, the permittee shall submit an annual report in the following format: (i) an introduction section addressing reasons and objectives for taking the species; (ii) a methodology section addressing data collection and

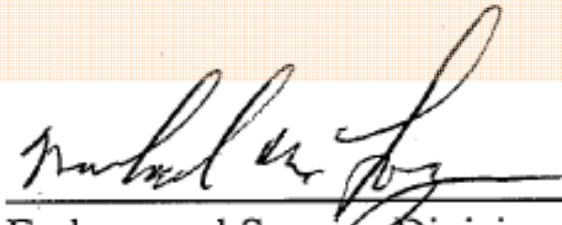


- ii. If no activities were conducted with any or all species authorized under the permit during the previous year, please state this in writing in your annual report.

10. Failure to comply with reporting requirements may result in non-renewal or suspension/revocation of this permit.

12/18/09

Date



Endangered Species Division Chief





United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Southwest Region
2800 Cottage Way, Suite W-2606
Sacramento, California 95825-1846



LIST OF AUTHORIZED INDIVIDUALS TE-076257-1

1. Individual authorized to independently conduct activities pursuant to this permit:

Kate E. Ballantyne, Eric N. Wier, and John Farhar.

Supervised individuals may conduct activities pursuant to this permit only under the direct, on-site supervision of an independently authorized individual listed above.

12/8/09
Date

Michael R. Long
Endangered Species Division Chief

MORE INFORMATION

contact:



Chris Kofron
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, CA 93003

Tel: 805/644-1733 x 303
Email: chris_kofron@fws.gov

